

GWINNETT COUNTY
 PLANNING AND DEVELOPMENT
 RECEIVED
 1/19/2022

Gwinnett County Planning Division
 Special Use Permit Application
 Last Updated 5/2021

SPECIAL USE PERMIT APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF GWINNETT COUNTY, GA.

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Dacula Automotive LLC</u>	NAME: <u>H&H SHOPS LLC</u>
ADDRESS: <u>1700 Winder Hwy</u>	ADDRESS: <u>131 Roswell Street</u>
CITY: <u>Dacula</u>	CITY: <u>Alpharetta GA 30201</u>
STATE: <u>GA</u> ZIP: <u>30019</u>	STATE: <u>GA</u> ZIP: <u>30009</u>
PHONE: <u>678 704-5483</u>	PHONE: <u>678-990-0712</u>
CONTACT PERSON: <u>Wesley Guernier</u> PHONE: <u>678-704-5483</u>	
CONTACT'S E-MAIL: <u>Sguernier68@gmail.com</u>	

*Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 Tenant. CONTRACT PURCHASER

EXISTING/PROPOSED ZONING: C2 BUILDING/LEASED SQUARE FEET: 1,225

PARCEL NUMBER(S): R5242023 ACREAGE: 1.008

ADDRESS OF PROPERTY: 1700 Winder Hwy Dacula GA 30019

SPECIAL USE REQUESTED: Auto Sales

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

GWINNETT COUNTY

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December 27, 2021

1/19/2022

To whom it may concern:

This letter is in reference to the change in conditions application for Dacula Automotive. The business has been in operation for years at this location and has continued to grow in the community. We are proud of the expansion in our business and we're ready to move forward with a conjunction to our existing special use permit for auto sales. We have 2 new employees, a sales representative and a sales manager. They will also need 2 additional parking spaces for a total of 3 designated for the employees parking. We have an existing inventory in rotation of 20 cars on the lot. We intend to continue to increase the revenue through this expansion and help to provide jobs and resources to the Gwinnett county community. Thank you in advance for all your help in approving this permit.

The citations cited will be addressed below:

270-30.11- in processing with SUP application

270-40.4- in processing with SUP Application

14-286- completed by landlord duties

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14-318(D)- BOTH SUITES HAVE NUMBERING PRESENT WITH VISIBILITY.

14-289- ALL PROPERTY MAINTENANCE HAS BEEN RECTIFIED

240-10.3.A ALL CARS/TRUCKS HAVE BEEN REMOVED FROM NON PAVED SURFACES.

240-10.5 NO PARKING AREAS ARE USED FOR SALE REPAIR OR LONG TERM STORAGE.

78-107(20) ALL SIGNS ARE RELATIVE AND ACCURATE FOR THE BUSINESS.

All Corrective Actions have been completed. All Trees have been replanted.

Best regards,



Wesner Guerrier

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SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENT OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes, Adjacent And nearby Properties Will Find This use suitable

- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

NO This Permit Will Not ~~Find~~ Affect The Adjacent Property

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED SPECIAL USE PERMIT HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

Yes it Has currently economic use to the current zone.

- (D) WHETHER THE PROPOSED SPECIAL USE PERMIT WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

NO This permit will not cause any excessive use of street or facility

- (E) WHETHER THE PROPOSED SPECIAL USE PERMIT IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Yes it is in conformity with in the Policy And intent of the land use plan.

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED SPECIAL USE PERMIT:

The condition remain the same for the use And development of the property.

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LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 242 of the 5th Land District, Gwinnett County, Georgia and being more particularly described as follows:

To find **The Point of Beginning**, Commence at a Iron Pin Set at the Intersection of the Southerly Right-of-Way of Georgia Highway No. 316 (Right-of-Way varies) and the Westerly Right-of-Way of United States Highway No. 29 (Georgia Highway No. 29, A.K.A. Winder Highway, Right-of-Way varies); THENCE leaving said Intersection and traveling along the Southerly Right-of-Way of Georgia Highway No. 316, South 44 degrees 31 minutes 08 seconds East for a distance of 218.91 feet to a Point, said point being **THE TRUE POINT OF BEGINNING**.

THENCE from said point as thus established and leaving said Right-of-Way, South 55 degrees 55 minutes 11 seconds West for a distance of 201.09 feet to a Point; THENCE along a curve to the left having a radius of 40.00 feet and an arc length of 19.28 feet, being subtended by a chord of South 42 degrees 06 minutes 38 seconds West for a distance of 19.10 feet to a Point; THENCE South 28 degrees 18 minutes 05 seconds West for a distance of 7.13 feet to a Point; THENCE along a curve to the left having a radius of 40.00 feet and an arc length of 32.01 feet, being subtended by a chord of North 84 degrees 37 minutes 30 seconds West for a distance of 31.16 feet to a Point; THENCE South 72 degrees 26 minutes 55 seconds West for a distance of 63.00 feet to a Point; THENCE North 11 degrees 53 minutes 32 seconds West for a distance of 179.34 feet to a Point on the Southerly Right-of-Way of Seaboard Coastline Railroad (200' Right-of-Way); THENCE continuing along said Right-of-Way, along a curve to the left having a radius of 1582.69 feet and an arc length of 224.72 feet, being subtended by a chord of North 70 degrees 40 minutes 32 seconds East for a distance of 224.53 feet to a 1/2" Rebar Found at the Intersection of Said Right-of-Way and the Southerly Right-of-Way of Georgia Highway No. 316; THENCE leaving the aforesaid Right-of-Way of Seaboard Coastline Railroad and continuing along the Southerly Right-of-Way of Georgia Highway No. 316, South 44 degrees 31 minutes 08 seconds East for a distance of 141.07 feet to a Iron Pin Set at the aforesaid Intersection of the Southerly Right-of-Way of Georgia Highway No. 316 (Right-of-Way varies) and the Westerly Right-of-Way of United States Highway No. 29 (Georgia Highway No. 29, A.K.A. Winder Highway, Right-of-Way varies), said point being **THE TRUE POINT OF BEGINNING**.

Said property contains 1.008 acres as shown on the Exhibit for All Tire and Brake, Inc., prepared by Precision Planning, Inc., Dated July 2, 2010.

G:\LEGALS\2006\06158\BLDG 400 LEASE AREA.docx

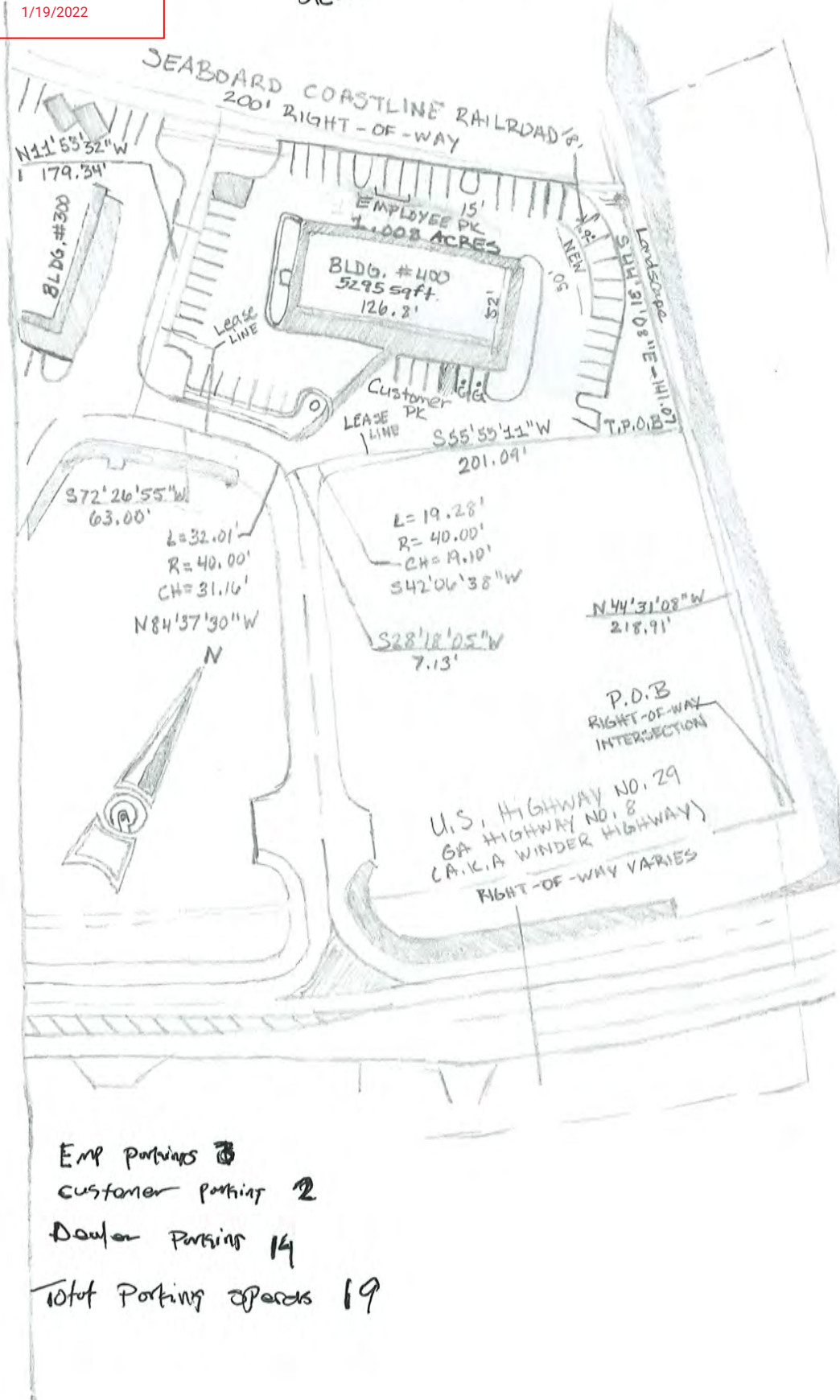
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BY:

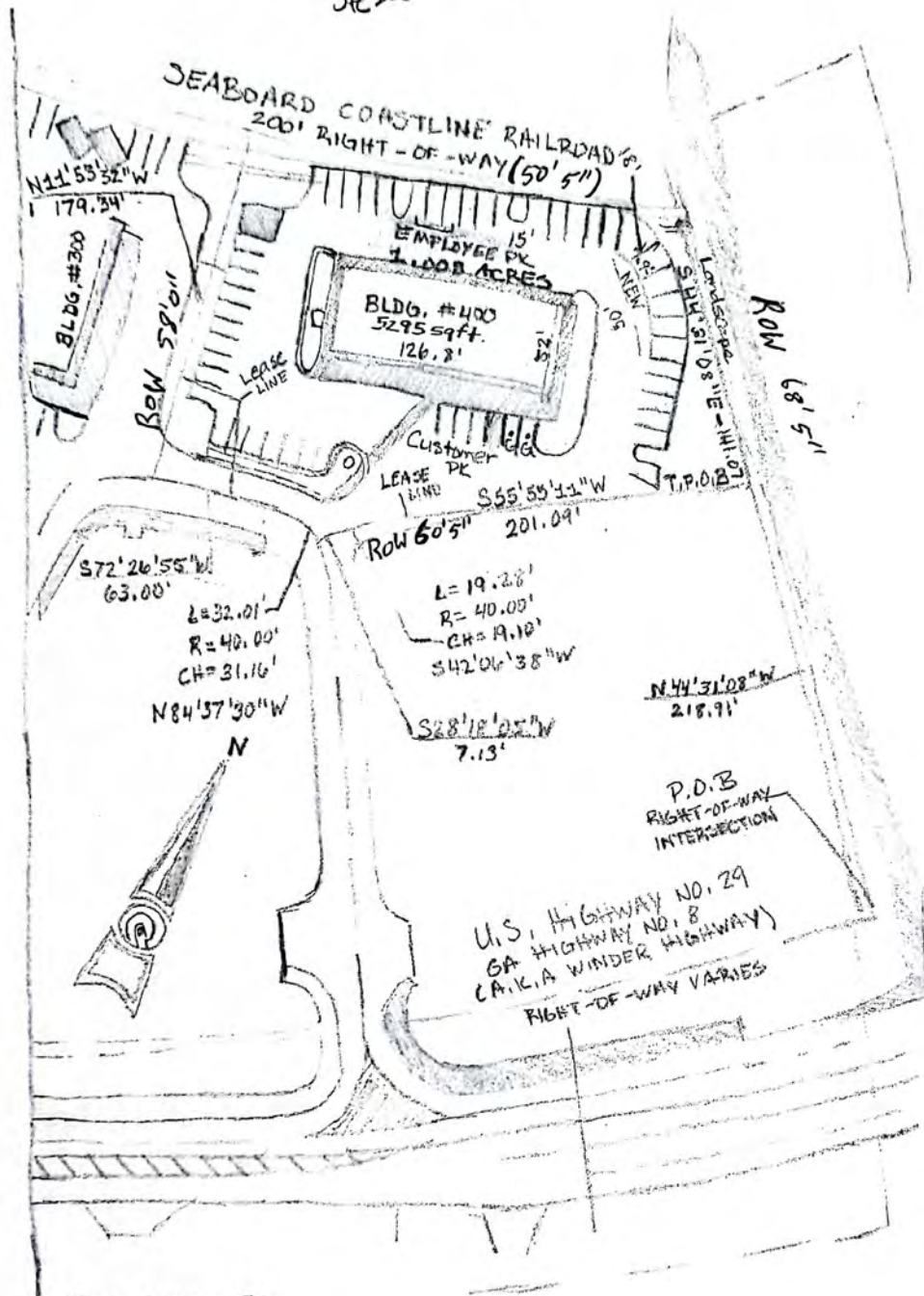
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1700 Winder Hwy Decatur GA 30019
 JTE200



Emp parking 8
 customer parking 2
 Dealer parking 14
 Total parking spaces 19

1700 Winder Hwy Decatur GA 30019
JH200



Emp parking 3
 customer parking 2
 Dealer parking 14
 Total parking spaces 19

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SPECIAL USE PERMIT APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.



Signature of Applicant

1-5-22

Date

Wesner Guernier

Type or Print Name and Title

Margaret J. Wilson

Signature of Notary Public

1/5/22

Date



Notary Seal

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Change in Conditions Application
Last Updated 12/2020

SPECIAL USE PERMIT
~~CHANGE IN CONDITIONS~~ **PROPERTY OWNER'S CERTIFICATION**

THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.




Signature of Property Owner

1/3/2022
Date

Pern Hodge Managing Member

Type or Print Name and Title



Signature of Notary Public

1/4/22
Date



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CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

The undersigned below, making application for a Special Use Permit, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

[Signature] 1-5-22 Wesner Guernier
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

 SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE
 ATTORNEY OR REPRESENTATIVE

[Signature] 1/5/22
 SIGNATURE OF NOTARY PUBLIC DATE



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

YES NO Wesner Guernier
 YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)

Attach additional sheets if necessary to disclose or describe all contributions.

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VERIFICATION OF CURRENT PAID PROPERTY TAXES
FOR CHANGE IN CONDITIONS

SPECIAL USE PERMIT

THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

*** NOTE: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.**

PARCEL I.D. NUMBER: _____
(Map Reference Number) District 5 - Land Lot 242-023 Parcel

[Signature] _____
Signature of Applicant Date 1-16-21

Wesner Guemier, Manager _____
Type or Print Name and Title

*****PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.*****

TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

Christa Flowers _____
NAME TITLE Tax Services Assoc. II

1-4-2022 _____
DATE

Taxes are current